

REMARKS

Claims 1 and 13-17 are pending in the application. Claims 1, 3-5, 7, 10-11, and 14-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gagnon (U.S. Patent No. 5,841,072) in view of Brorein (U.S. Patent No. 5,767,441). Claims 6, 8-9, 12-13 and 16 stand objected to as being dependant upon a rejected base claim but would be allowable if rewritten in independent form. With this amendment Applicant amends claims 1, 3, 4 and 9 and adds claim 17. Applicant respectfully disagrees with the rejection and traverses as follows.

Rejections Under 35 U.S.C. § 103(a)

Claim 1

Applicant has amended Claim 1 to incorporate a limitation regarding the eccentricity of the conductors of the twisted pair. Claim 1 now reads:

1. A twisted pair cable comprising a plurality of pairs, each of said pairs comprising:
two assemblies, a first assembly comprising:
 - a conductor;
 - an inner insulator surrounding the conductor;
 - an outer insulator surrounding the inner insulator;
 - an inner edge of the first assembly defined by a surface of the first assembly closest to a second assembly in the same pair; and
 - an outer edge of the first assembly defined by a surface of the first assembly farthest from the second assembly in the same pair, the outer edge of the first assembly being farther from the conductor than the inner edge of the first assembly over the length of the pair.

Applicant previously had described the eccentricity of the conductors relative to their insulation by defining S1 and S2 where S1 is the distance between one conductor of a pair and a

second conductor of a pair and S2 is the distance between one conductor of a pair and a conductor of a separate pair. The Examiner argued that Brorein, by virtue of Figure 3d, suggests that with two twisted pairs at some point during the rotation of those twisted pairs S1 will be smaller than S2. (Office Action at 8). Claim 1 in its amended form requires that the conductor of the first assembly be closer to the inner edge of its assembly than to the outer edge of its assembly. Furthermore, claim 1 requires that this conductor position be maintained over the length of the pair. Therefore, even though Brorein may show one instance along a pair where the conductor is closer to its inner edge than its outer edge, Brorein does not teach, disclose, or suggest maintaining that position over the length of the pair.

Furthermore, Gagnon does not teach, disclose, or suggest maintaining the above-described position over the length of the pair. Since neither Gagnon nor Brorein describes or suggests this limitation, then the combination of Gagnon and Brorein does not describe or suggest every limitation of the invention in claim 1 and therefore the combination of Gagnon and Brorein does not render the invention of claim 1 obvious.

Because the references do not teach or suggest every limitation of claim 1, claim 1 is patentable for at least the reasons discussed above.

Claim 3

Claim 3 reads:

3. A twisted pair cable comprising a plurality of pairs, each of said pairs comprising: two conductor assemblies, a first assembly comprising:
- a conductor;
 - at least one layer of insulator surrounding the conductor;
 - an inner edge of the first assembly defined by a surface of the first assembly closest to a second conductor assembly in the same pair; and
 - an outer edge of the first assembly defined by a surface of the first assembly farthest from the second conductor assembly in the same pair, the outer edge of the first assembly being farther from the conductor than the inner edge of the first assembly over the length of the pair.

As with claim 1, claim 3 has been amended to more accurately define the invention and to include the limitation that the conductor of the first assembly be closer to the inner edge of its assembly than to the outer edge of its assembly. Furthermore, claim 3 requires that this conductor position be maintained over the length of the pair. As described above in reference to claim 1, even though Brorein may show one instance along a pair where the conductor is closer to its inner edge than its outer edge, Brorein does not teach, disclose, or suggest maintaining that position over the length of the pair.

Furthermore, Gagnon does not teach, disclose, or suggest maintaining the above-described position over the length of the pair. Since neither Gagnon nor Brorein describes or suggests this limitation, then the combination of Gagnon and Brorein does not describe or suggest every limitation of the invention in claim 3 and therefore the combination of Gagnon and Brorein does not render the invention of claim 3 obvious.

Because the references do not teach or suggest every limitation of claim 3, claim 3 is patentable for at least the reasons discussed above.

Claims 4-16

Claims 4-16 are all dependent upon claim 1 and are therefore patentable for at least the reasons described above in reference claim 1.

Claim 17

Claim 17 is new and requires that the conductors of the assemblies be closer to the inner edge of their respective assemblies over the entire length of the pair. As described above in reference to claims 1 and 3, the prior art does not teach maintaining this position over the length of the pair. Claim 17 is therefore patentable for at least this reason.

CONCLUSION

Reconsideration and allowance of claims 1 and 3-16 is respectfully requested.

Allowance of claim 17 is respectfully requested.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after entering this amendment to the record, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's representative at the number provided below.

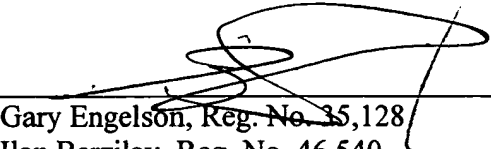
Serial No. 09/585,072
Confirmation No.: 5741

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Art Unit: 2831

It is not believed that any extension for time or fees for next addition of claims are required, beyond those which maybe required for in the document accompanying this paper. However, if additional extensions of time are necessary to allow consideration of this paper, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a) and any fees required therefore, including fees for net addition of claims are hereby authorized to be charged to our deposit account No. 23/2825.

Respectfully Submitted,



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